



CITY OF MORGAN HILL
CITY COUNCIL
MORGAN HILL REDEVELOPMENT AGENCY

COUNCIL CHAMBERS
17555 PEAK AVENUE MORGAN HILL CALIFORNIA 95037

COUNCIL MEMBERS

Dennis Kennedy, Mayor
Steve Tate, Mayor Pro Tempore
Hedy L. Chang, Council Member
Cynthia J. Cook Council Member
Greg Sellers, Council Member

REDEVELOPMENT AGENCY

Dennis Kennedy, Chairperson
Greg Sellers, Vice-Chairperson
Hedy L. Chang, Agency Member
Cynthia J. Cook, Agency Member
Steve Tate, Agency Member

WEDNESDAY, MARCH 1, 2000

JOINT MEETING AGENDA

CITY COUNCIL REGULAR & SPECIAL MEETING

and

REDEVELOPMENT AGENCY SPECIAL MEETING

6:00 P.M.

*A Special Meeting is called at 6:00 p.m. for the
purpose of conducting five Closed Sessions.*

Dennis Kennedy, Mayor/Chairperson

CALL TO ORDER

(Mayor/Chairperson Kennedy)

ROLL CALL ATTENDANCE

(City Clerk/Agency Secretary Torrez)

DECLARATION OF POSTING OF AGENDA

Per Government Code 54954.2

(City Clerk/Agency Secretary Torrez)

OPPORTUNITY FOR PUBLIC COMMENT

City Council/Redevelopment Agency Action

CLOSED SESSION:

**Time
Estimate**

10 minutes	1.	
	CONFERENCE WITH LEGAL COUNSEL - POTENTIAL LITIGATION	
	Legal Authority:	Government Code 54956.8 & 54956.9(c) (1potential case)
	Real Property(ies) involved:	APN 728-31-007 & 008; 25.50 acres located on the southwesterly side of Mission View and Cochrane Road; and APN 728-31-009 - 12.88 acres located on the southeast corner of Cochrane and Highway 101 (St. Louise Hospital property)
	City Negotiators:	Mayor, City Council/Agency Members; Interim City Manager/Interim Executive Director; Interim City Attorney/Interim Agency Counsel; and F. Gale Conner, special counsel
	Closed Session Topic:	Potential Litigation
2.		
20 minutes	CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION:	
	Significant exposure to litigation pursuant to subdivision (b)(1) of Government Code Section 54956.9: (1 case)	
	Attendees:	Mayor/Executive Director/City Council/Redevelopment Agency, Director of Public Works, Interim City Manager/Interim Executive Director, Interim City Attorney/Interim Agency Counsel
3.		
10 minutes	CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION	
	Legal Authority:	Government Code Section 54956.9(a)
	Title of Case:	<u>Berger v. City of Morgan Hill</u>
	Case Number:	Court of Appeal, Sixth Appellate District; H016328; Superior
	Court No:	687887
	Parties:	Richard B. Berger and Jo Ann Berger
	Topic:	Litigation.
	Attorney:	Helene Leichter
	Attendees:	Councilmembers; Interim City Manager; Interim City Attorney

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- | | |
|------------------------------|-----------------------------------------------------------------------------------------------------------------------------------|
| 10 minutes | CONFERENCE WITH LEGAL COUNSEL - REAL PROPERTY TRANSACTION |
| Legal Authority: | Government Code Section 54956.8 |
| Real property(ies) involved: | Apostolic Church Property
APN 726-13-002
17060 Monterey Road, Morgan Hill |
| Agency Negotiators: | J. Edward Tewes, Interim City Manager/Interim Executive Director; Garrett Toy, Director of Business Assistance & Housing Services |
| Closed Session Topic: | Acquisition of Real Property |
- 5.**
- | | |
|------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 10 minutes | CONFERENCE WITH LEGAL COUNSEL - REAL PROPERTY TRANSACTION |
| Legal Authority: | Government Code Section 54956.8 |
| Real property(ies) involved: | <i>The Father's House</i> , First United Pentecostal Church
APN 767-18-044
271 West Edmundson Avenue |
| Agency Negotiators: | J. Edward Tewes, Interim City Manager/Interim Executive Director; Garrett Toy, Director of Business Assistance & Housing Services; Julie Spier, Recreation Manager |
| Closed Session Topic: | Acquisition of Real Property |

CLOSED SESSION ANNOUNCEMENT:

SILENT INVOCATION

PLEDGE OF ALLEGIANCE

PROCLAMATIONS

Science Fair Week
Week of March 13-19, 2000

INTRODUCTIONS

Police Department

Eloisa Gamez, Police Cadet
Brandon Richards, Police Cadet
Jennifer Kehl, Police Support Services Specialist II Trainee
Connie Shepard-Thompson, Police Support Services Specialist II

CITY COUNCIL REPORT

Council Member /Agency Member Cook

INTERIM CITY MANAGER'S REPORT

INTERIM CITY ATTORNEY'S REPORT

NOW IS THE TIME FOR COMMENTS FROM THE PUBLIC REGARDING ITEMS NOT ON THIS AGENDA.

(See notice attached to the end of this agenda.)

**PUBLIC COMMENTS ON ITEMS APPEARING ON THIS AGENDA WILL BE TAKEN AT THE TIME THE
ITEM IS ADDRESSED BY THE COUNCIL. PLEASE COMPLETE A SPEAKER CARD
AND PRESENT IT TO THE CITY CLERK.**
(See notice attached to the end of this agenda.)

City Council Action

CONSENT CALENDAR:

The Consent Calendar, Agenda Items #1 through #7 may be acted upon with one motion, a second and the vote. The Consent Calendar items are of a routine or generally uncontested nature and may be acted upon with one motion. Pursuant to Section 5.1 of the City Council Rules of Conduct, any member of the Council or public may request to have an item pulled from the Consent Calendar to be acted upon individually.

Time

Estimate

Page

Consent Calendar: 1 - 10 Minutes

1. **A RESOLUTION IN SUPPORT OF A COUNTY GRANT PROPOSAL TO PROVIDE
ENHANCED JUVENILE JUSTICE PROGRAMS** 1
Recommended Action: Approve Resolution No. 5353.
2. **PURCHASE REPLACEMENT POLICE PATROL VEHICLES** 5
Recommended Action: Authorize the Purchase of Seven Police Patrol Vehicles at a Total Cost of \$164,050.
3. **ACCEPTANCE OF THE DRILLING OF NORDSTROM PARK WATER WELL
PROJECT** 7
Recommended Action:
1. Accept as Complete the Drilling of Nordstrom Park Water Well Project in the Final Amount of \$114,879, and
2. Direct the City Clerk to File the Notice of Completion with the County Recorder's Office.
4. **ACCEPTANCE OF THE NOB HILL SEWER REALIGNMENT PROJECT** 11
Recommended Action:
1. Accept as Complete the Nob Hill Sewer Realignment Project in the Final Amount of \$45,234.21, and
2. Direct the City Clerk to File the Notice of Completion with the County Recorder's Office.
5. **LETTER OF SUPPORT FOR SCA 3 (BURTON)** 15
Recommended Action: Authorize the Mayor to Sign the Letter of Support and Send it to the Governor.

6. **ADOPTION OF RESOLUTIONS FOR FUNDING ALLOCATION BY THE CALIFORNIA TRANSPORTATION COMMISSION FOR THE COMPLETION OF THE AT-GRADE PEDESTRIAN RAILROAD CROSSING AT THE DOWNTOWN TRANSIT CENTER** 21
Recommended Action:
1. **Adopt** Resolution No. 5354 Assuring Compliance with the Various Conditions and Requirements of the California Transportation Commission for the Allocation of Transit Capital Improvement Funds to the Downtown Transit Center Pedestrian Crossing Project; and
2. **Adopt** Resolution No. 5355 Indemnifying the State Against Hazardous Materials Remediation for the Downtown Transit Center Pedestrian Crossing Project.
7. **RESIDENTIAL DEVELOPMENT CONTROL SYSTEM (RDCS) QUARTERLY REPORT NO. 1** 27
Recommended Action: **Accept** the Report by Minute Action.

OTHER BUSINESS:

- | | Time
Estimate | | Page |
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| 8. | 20 minutes | <u>AMENDMENT TO CONTRACT WITH THE SANTA CLARA COUNTY FIRE DEPARTMENT TO PROVIDE PARAMEDIC-LEVEL SERVICE</u>
<u>Recommended Action:</u>
1. <u>Direct Staff</u> to Address Paramedic-level Service through the Fire Suppression and Emergency Medical Services Master Plan;
<u>OR</u>
1. <u>Direct Staff</u> to Negotiate a Contract with County Fire for Paramedic-level Service, which Will include Benchmarks to Measure the Impact of this Service Enhancement. | 43 |
| 9. | 5 minutes | <u>EARLY CHILDHOOD EDUCATORS CONFERENCE</u>
<u>Recommended Action:</u> <u>Consider</u> Sponsoring the Conference with a Donation of \$500 to \$1000. | 51 |
| 10. | 30 minutes | <u>CITY HALL EXPANSION - CONTINUED CONSIDERATION</u>
<u>Recommended Action:</u>
1. <u>Appropriate</u> \$430,000 from The AB 1600 Public Facilities Fund Unappropriated Fund Balance for this Interim City Hall Expansion Project,
2. <u>Direct</u> Staff to Begin the Process on the Site Review and Environmental Document for Placing a 4320 Square Foot Modular Building to Replace the 600 Square Foot Modular Now Occupied by Recreation and Environmental Programs Manager, and
3. <u>Direct</u> Staff to Return to City Council with Contracts to Purchase Modular Office Space and Contracts for Professional Services for Design of the Building and Expanded Parking Lot Fronting the Building. | 55 |

City Council & Redevelopment Agency Action

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Consent Calendar: 1 - 10 Minutes

11. **APPROVAL OF JOINT SPECIAL/REGULAR CITY COUNCIL AND SPECIAL
REDEVELOPMENT AGENCY MEETING MINUTES OF FEBRUARY 16, 2000 . . . 59**

FUTURE COUNCIL-INITIATED AGENDA ITEMS:

Note: in accordance with Government Code Section 54954.2(a), there shall be no discussion, debate and/or action taken on any request other than providing direction to staff to place the matter of business on a future agenda.

ADJOURNMENT